

United States District Court
Eastern District of Michigan
Southern Division

United States of America,

Plaintiff,

No. 20-cr-20396

v.

Hon. Arthur J. Tarnow

Domenic Daniel Rolak,

Defendant,

STIPULATED PROTECTIVE ORDER

With the agreement of all the parties, the Court enters the following Order:

STIPULATION BY PARTIES

1. Any discovery designated by the Government as “PROTECTED MATERIAL” will be subject to the terms of this Order. The Government will prominently mark any PROTECTED MATERIAL as such.
2. If counsel for the defendant believes that any material is not properly designated as PROTECTED MATERIAL, he shall raise that issue with the United States. If the parties are unable to agree on the status of a given item of discovery, the defendant may seek leave of the Court to de-designate of the item. However, all items designated as PROTECTED MATERIAL must be treated as such until de-designated by the Government or the Court.

3. The persons who may receive and review PROTECTED MATERIAL and will be referred to as “Covered Individuals,” are:

- a. Attorneys of record for the defendant;
- b. The defendant, subject to additional restrictions;
- c. Persons employed, or who have been contracted to work on this case, by defense counsel who are assisting with the preparation of the defendant’s defense; and
- d. Any investigator(s) retained on behalf of defendant to assist in the defense of this matter.

4. PROTECTED MATERIAL provided by the government shall not be disclosed by the defense to any person except Covered Individuals.

5. PROTECTED MATERIAL may be disclosed to the defendant, however, the defendant may only review such materials at any time in the presence of his defense counsel, defense counsel’s legal assistants, or other employees assisting in defense preparation. The defendant shall not be permitted to keep or take with him such materials, including copies and notes of such materials. Such review shall take place in the office of the defense counsel or at the detention facility where the defendant is being housed.

6. Information contained in the PROTECTED MATERIAL shall not be disseminated or provided to anyone other than Covered Persons in any form or by any means.

7. Prior to any Covered Individual receiving access to any PROTECTED MATERIAL pursuant to this Order, the Covered Individual shall sign a copy of this order acknowledging that:

- a.They have reviewed the Order;
- b.They understand all its contents;
- c.They agree that they will only access the PROTECTED MATERIAL for the purposes of preparing a defense for the defendant;
- d.They understand that failure to abide by this Order may result in sanctions by this Court and criminal charges for contempt.

8. No person other than Covered Individuals may be allowed to examine PROTECTED MATERIAL, absent further court order. The PROTECTED MATERIAL will be maintained in a secure environment which is reasonably certain to not expose the materials to individuals not listed above.

9. Neither the Government nor the defense shall offer or file any PROTECTED MATERIAL unless such PROTECTED MATERIAL (1)is offered or filed under seal, (2)is offered or filed with the concurrence of the party that

originally produced it, (3) is offered or filed at the trial of this matter, or (4) is offered or filed pursuant to further court order.

10. This order is binding on successor counsel, if any, including appellate counsel, and any a copy of this order will be transmitted to such successor counsel with the materials protected by this Order, all without prejudice to successor counsel's right to move the Court for an order modifying or vacating this Order. Before any PROTECTED MATERIAL can be turned over to successor counsel, successor counsel must sign a copy of this Order.

SO STIPULATED:

MATTHEW SCHNEIDER
United States Attorney

s/ Robert W. VanWert

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s/David R. Cripps (w/consent)

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IT IS SO ORDERED:

Dated: October 19, 2021

s/Arthur J. Tarnow

Hon. Arthur J. Tarnow
United States District Judge